

Appln. No.: 10/505,387
Amendment Dated January 16, 2009
Reply to Office Action of October 16, 2008

PC10373US

Amendments to the Drawings:

The attached sheet of drawings includes new Figure 4.

Attachment

Remarks/Arguments:

Claims 13, 16 and 20 are herein amended. Support for the amended claim language is found, *inter alia*, in the second-to-last full paragraph on page 2 of the substitute specification. Claims 16 and 20 are amended to be consistent with the other claims. New claims 26-29 are added herein. New claims 26-29 recite limitations recited in original claims 1 and 5. No new matter is added.

Objections to the Drawings

The drawings were objected to as not showing every feature of the invention specified in the claims. Specifically, the Office Action indicates that the method step limitations recited in the claims must be shown as in an appropriate flowchart or the features canceled from the claim. It is further stated that it is "recommended that the applicant include a drawing(s) showing the circuitry/hardware that this method is implemented on."

With respect to the proposed flowchart, Applicants respectfully submit that such drawing is not necessary, but have added new Figure 4 as an administrative expedient. The specification has been amended accordingly.

With respect to the recommendation to include a drawing showing the circuitry/hardware that the method is implemented on, applicants again submit that such a drawing is not necessary. The statute provides at 35 U.S.C. §113 that "[t]he applicant shall furnish a drawing where necessary for the understanding of the subject matter sought to be patented." Applicants respectfully submit that the recommended drawing is not necessary for an understanding of the subject matter sought to be patented and further that the invention is not limited to a specific circuit or hardware configuration.

It is respectfully requested that the objections to the drawings be withdrawn.

Claim Rejections Under 35 U.S.C. §103

Claims 13, 14, 16 and 19-25 stand rejected under 35 U.S.C. §103 as unpatentable over U.S. Patent No. 5,645,352 (Menten) in view of U.S. Patent No. 6,322,166 (Furuya et al.). Applicants traverse these rejections.

Independent claim 13 recites a "[m]ethod for generating a corrected nominal current in a pulse-width-modulated current control, in particular for electronic brake control units of motor vehicles, wherein a measured current is determined at a certain predetermined time during an actuation period and a compensation is executed by way of at least one compensation current

value determined in response to a supply voltage, the compensation current value being added to the measured current so that the corrected nominal current is available for current control.”

The Office Action cites Menten as teaching a method of generating a corrected nominal current including determining a measured current and executing a compensation by way of compensation variables which are added to the measured current. Applicants respectfully submit that Menten fails to teach or suggest such.

As explained in the background of Menten at column 1, lines 9-18, and in the summary of the invention of Menten at column 1, line 66 through column 2, line 27, Menten relates to a circuit configuration and a method for “ascertaining the temperature of a current-regulated electric coil,...” (emphasis added). Contrary to the assertion in the Office Action, Menten does not teach or suggest any compensation current value that is added to the nominal current.

The Office Action cites to several passages of Menten as teaching compensation variables, however, none of these variables are a compensation current value that is added to the measured current so that a corrected nominal current is available for current control. To the contrary, Menten specifically explains at column 3, lines at lines 45-52, that the only compensation variable ascertained in Menten is “a correction value for the coil temperature,” which is consistent with the object of Menten as explained above.

Menten further explains at column 4, lines 52-57, that the equations set forth therein result in “a falsification of the ascertained temperature value, which differs from one coil circuit to another. In order to compensate for this falsification, calibration is carried out with the aid of the temperature sensor 8 contained in the control unit 9. In other words, **a correction value TA for the coil temperature is ascertained.**” (emphasis added). Menten does not teach or suggest determining a compensation current value based on supply voltage that is added to the nominal current so that the corrected nominal current is available for current control. Applicants respectfully request that if the Examiner maintains a reliance on Menten as teaching the claimed compensation current value, that the Examiner specifically identify the portion of Menten which teaches such.

The current Office Action does not cite to Furuya et al. as teaching or suggesting determining a compensation current value based on supply voltage that is added to the nominal current so that the corrected nominal current is available for current control. To the contrary, in response to the December 17, 2007 Amendment explaining that Furuya et al. does not teach compensation variables, the March 28, 2008 Office Action withdrew the previous §102 rejection based on Furuya et al., thereby confirming that Furuya et al. does not teach the claimed invention.

The cited references, alone or in any reasonable combination, fail to teach or suggest each limitation of the claimed invention. It is respectfully submitted that independent claim 13 is condition for allowance. Claims 14, 16, 19-28 each depend from claim 13 and should each be allowed for at least the reasons set forth above. It is respectfully submitted that each of these claims recite additional limitations which further distinguish over the prior art.

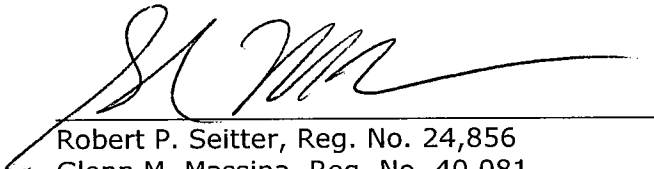
Similar to independent claim 13, new independent claim 29 recites "[a] method for generating a corrected nominal current in a pulse-width-modulated current control for a current actuated valve, the method comprising the steps of: determining a measured current at a predetermined time during an actuation period of the valve; determining at least one compensation current value based on a supply voltage; and adjusting the measured current by the compensation current value to generate the corrected nominal current.

As explained above, the cited references, alone or in any reasonable combination, fail to teach or suggest determining at least one compensation current value based on a supply voltage and adjusting the measured current by the compensation current value to generate the corrected nominal current. It is respectfully submitted that independent claim 29 is in condition for allowance.

It is respectfully submitted that each of the pending claims is in condition for allowance. Early reconsideration and allowance of each of the pending claims are respectfully requested.

If the Examiner believes an interview, either personal or telephonic, will advance the prosecution of this matter, it is respectfully requested that the Examiner get in contact with the undersigned to arrange the same.

Respectfully submitted,



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